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14 October 1983

MEMORANDUM FOR: Director of Central Intelligence

FROM: Deputy Director of Central Intelligence

SUBJECT: Cabinet Council Meeting on Narcotics Tsar

1. The meeting was chaired by Ed Schmults, with the Vice President and Ed Meese being preoccupied. Schmults stated that from his conversation in the Senate, particularly with Senator Biden, that the Senate will pass a Tsar bill. What Biden is offering is a deal with the Administration to moderate the Biden bill in a fashion acceptable to the Administration and also to stretch it out over a two-year period so it would not be phased in until early 1985.

2. Justice's proposal is to go along with the Tsar concept but model it after the DCI. The thrust would be to have the Attorney General chair a "Cabinet Council" where narcotics issues could be "coordinated." Some discussion then ensued on whether or not the Cabinet Council when it meets as such would be subject to FOIA, etc., etc., and the answer was yes, that although the Cabinet Council is not subject to FOIA at the moment, whenever it convened under the Attorney General as drug Tsar it would be. The beauty of having a Tsar, according to Schmults, would be to give Congress a focal point for testifying, etc., etc., as well as the appearance of coordinating the entire United States Government.

3. Joe Wright from OMB urged that it not be modeled after the DCI since the DCI has budget authority over the departments when it comes to the NFIP and of course no one wanted the Attorney General to have any budget authority. Schmults immediately backed off of that, professing that Justice had no designs on budget authority whatsoever. Wright urged then that it be modeled after some of the committees that State Department has.

4. Discussion then centered on whether or not the House would ever consider such a bill when some folks say that both Dingell and Waxman would never let a bill like that get to the floor. This led to a debate of whether the Senate would really pass it with Schmults arguing that the Senate would indeed pass it with flying colors. Everyone agreed that Justice ought to proceed to discuss with the Senate the proposed bill for a Tsar. State and Treasury asked to be kept plugged in. General agreement was that Schmults will get back to the Cabinet Council as this discussion matures.

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5. After the meeting in talking to Dan Murphy he told me that this is really a power play by the Department of Justice, that the staff work and paperwork prepared within Justice for this meeting does push the DCI model so that the Attorney General would control the U.S. funds devoted to this issue, i.e., control of the budget. We will have to stay close to this to make sure this doesn't happen. I will ask Clair George to stay plugged in with Biden on how it's developing from his viewpoint so that we can cross check what Justice says.

  
John N. McMahon

cc: NIO/EA

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- 1 - D/OLL
- 1 - OGC (Chase)
- 1 - SA/DCI/IA
- 1 - ER File

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